



Texas General Land Office Oil Spill Prevention and Response Program

Facility Certification Program

The Oil Spill Prevention and Response Act 1991 (OSPRA) authorized the Texas General Land Office to develop and implement a waterfront facility certification program. Starting that year, the Oil Spill Prevention and Response Program (program) initiated a process by which facilities subject to OSPRA were required to develop facility discharge prevention and response plans, spill response strategies, and spill response teams.

Facilities are subsequently classified by size and type and based on that classification, are required to implement an appropriate oil spill prevention and response scheme. Recent regulatory changes have resulted in a re-assignment of classifications and modifications in the appropriate preparedness levels.

Effective October 30, 2002, waterfront facilities are defined as those facilities located within 100 yards of coastal waters. Facilities where all portions of the physical plant are outside of this distance are not required to be certified under OSPRA. Facilities where any portion of the physical plant is within 100 yards of coastal waters (defined as tidally influenced waters) require certification unless the program deems otherwise and extends an exemption based on an investigation of circumstances relating to a potential spill.

The new classifications of facilities are small, intermediate, and large. The determination of the classification will be made based on the capacity to store or transfer oil. The below chart provides details pertaining to classifications:

	Storage Capacity	Transfer Capacity
Small	≤ 1320 gallons	≤ 4 inch diameter pipeline
Intermediate	> 1320 gallons and $\leq 250,000$ gallons	> 4 inch and ≤ 12 inch diameter pipeline
Large	$> 250,000$ gallons	> 12 inch diameter pipeline

The revised regulations also substantially reduce the cost of obtaining a certificate. The new fee is \$25.00 for each facility for a 5 year period regardless of facility size.

The methods of maintaining a current record of facility information has also changed. Facility operators are no longer required to submit response plans to the program for review. Further, there is no longer a requirement to forward to the program response manual changes or associated correspondence. Rather, facility operators will provide facility information when applying for an original certificate or renewal, and will maintain facility information in a current status by either accessing an internet online facility information account or by providing the information on a form to the program. In either case, the responsibility for maintaining the electronic information account of facility information lies with the facility operator. The mechanism for providing the information is the choice of the operator.

The list of items that must be provided as part of an application and e-account follows:

- Facility name and physical location including latitude and longitude
- Directions to the facility
- Owner name and address including contact telephone numbers
- Operator name and address (if applicable) including contact telephone numbers
- Facility information

- Primary facility activity
- Person In Charge including telephone numbers
- Local contact telephone numbers
- Oil products handled or stored at the facility
- Storage or pipeline capacity information
- Dimensions of the largest vessel served by the facility
- Discharge Cleanup organization including telephone contacts
- Facility general plan for responding to a spill
- List of response equipment stored at the facility
- Special instructions for GLO access

Applying for a discharge prevention and response certificate is as simple as filling out the 2 page application. Interested operators can contact any of the regional offices to obtain an application or can download one from the program website at <http://www.glo.texas.gov/what-we-do/caring-for-the-coast/oil-spills/compliance/facility-registration/index.html>.

Facility operators are additionally required to maintain a facility discharge prevention and response plan at the facility at all times. The specific items to be included in the plan by facility can be found in Chapter 19 of Title 31 Texas Administrative Code. A link to Chapter 19 can be found on the program website provided above.

Upon receipt of the application, the program will conduct an audit of the facility to determine jurisdiction and implementation of a discharge prevention and response plan. Pending a review of all the materials, a certificate will be sent to the facility operator. Operators should note that there is no longer a 90 day compliance grace period. Waterfront facilities desiring to handle, store, or transfer oil are required to have a discharge prevention and response certificate prior to operations involving the previously stated use of oil.

Random audits and inspections of certified facilities will be scheduled throughout the life of the certificate. Audits and inspections can be announced or unannounced. The goal of random visits is to ensure compliance with OSPRA on a daily basis and to afford operators an opportunity to raise concerns or resolve issues concerning pollution prevention and response. Unless there is a significant oil spill history or other matters requiring greater diligence, facility operators can expect each facility to be visited on an annual basis.

Questions regarding the Facility Certification Program can be forwarded to any of the following Texas General Land Office Oil Spill Prevention and Response Program locations.

Headquarters	Region 1	Region 2	Region 3	Region 4	Region 5
Stephen F. Austin Bldg P. O. Box 12873 Austin, TX 78711-2873	2300 Hwy 365 Suite 340 Nederland, TX 77627-6256	11811 North D Street La Porte, TX 77571-9135	Texas A&M Natural Resources Center 6300 Ocean Drive Unit 5847 Corpus Christi, TX 78412-5847	2145 EMS Lane Brownsville, TX 78521-2666	414 Travis Street Port Lavaca, TX 77979
(512) 475-1575	(409) 727-7481	(281) 470-6597	(361) 825-3300	(956) 504-1417	(361) 552-8081